

REMARKS

Applicants have carefully considered this Application in connection with the Examiner's Action, and respectfully request reconsideration of this Application in view of the above Amendment and the following remarks.

Pending in the application are Claims 1 – 4, 7 – 9, and 12 – 14. Claim 1 has been amended to recite that, in addition to being not fully alkylated, the compounds are partially alkylated, in that at least one R₁ group is CH₂CO₂K. Support for this amendment can be found throughout the specification and particularly at Page 17, line 3 in which it is stated that the present invention pertains to compounds that are partially alkylated.

I. Rejections Under 35 U.S.C. §102(b)

Claims 1, 7, 9, 12, and 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by International Patent Application Publication No. WO 02/44121 to Harris et al. The Examiner asserts that Harris discloses the compound of formula I as it is claimed in Claim 1. However, on Page 5 of the current Office Action, the Examiner also states that Harris does not disclose the claimed R₂ group of formula I being para-fluorobenzene. If Harris does not disclose this limitation, then Harris does not anticipate the claims.

Furthermore, Applicants respectfully assert that Harris only discloses compounds that are non-alkylated. The Examiner's reproduction of the compounds of Harris at Page 3 of the current Office Action clearly shows a total lack of alkylation. By contrast, Claim 1 very clearly pertains to compounds that are partially alkylated. Claim 1, as amended, requires that at least one of the R₁ groups is CH₂CO₂K. All of the R₁ groups in the claimed subject matter cannot be H, and thus the claimed subject matter is not disclosed by Harris.

Based on the amendment to Claim 1 and the remarks made above, Applicants asserts that Harris does not anticipate Claims 1, 7, 9, 12, and 14.

II. **Rejections Under 35 U.S.C. §103**

Claims 1, 7, 9, 12, and 14 stand rejected under 35 U.S.C. §103 as being obvious in view of Harris in combination with Aldrich. The Examiner asserts that Harris discloses the compound of formula I but for the para-fluorobenzene group and that the compounds of Harris were shown to be used in the treatment of HIV-1. The Examiner then asserts that the chemical handbook of Aldrich suggests that the p-fluorobenzaldehyde compound could have been used as the starting material to create the claimed subject matter. Applicants respectfully disagree. The Aldrich chemical handbook suggests nothing about the feasibility of using this compound as a starting material to create claimed formula I because the Aldrich handbook is a generic chemical handbook that merely lists hundreds of chemicals and their properties. There is certainly no suggestion that the substitute of a para-fluorobenzene group for a para-bromobenzene group would have similar effectiveness in the claimed compounds as a treatment for HIV-1. Aldrich necessarily makes no mention of HIV-1 because Aldrich is just a chemical handbook.

Furthermore, as discussed above, Harris does not actually disclose the compound of formula I, as it is claimed in amended Claim 1. Claim 1 has been amended to provide that the claimed compounds are partially alkylated, in that at least one of the R_1 groups is CH_2CO_2K . The Examiner's reproduction of the compounds of Harris at Page 3 of the current Office Action clearly shows a total lack of alkylation. Claim 1 as amended clearly requires partial alkylation. Thus, Harris does not teach the compounds of formula I in Claim 1.

Applicants respectfully assert that the combination of Harris and Aldrich does not suggest all of the claimed limitations and that Claims 1, 7, 9, 12, and 14 are therefore patentable over Harris in view of Aldrich.

III. **Conclusion**

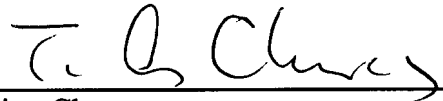
Applicants respectfully submit that, in light of the foregoing Amendment and comments, Claims 1 – 4, 7 – 9, and 12 – 14 are in condition for allowance. A Notice of Allowance is therefore requested.

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If the Examiner has any other matters which pertain to this Application, the Examiner is encouraged to contact the undersigned to resolve these matters by Examiner's Amendment where possible.

Respectfully submitted,



T. Ling Chwang
Registration No. 33,590
JACKSON WALKER L.L.P.
901 Main Street, Suite 6000
Dallas, TX 75202
Tel: (214) 953-5959
Fax: (214) 661-6870



Date